

## **PT Rule For Adoption - §343.1 Definitions**

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**Summary of Amendment:** The amendment provides for a more expeditious procedure for filing a complaint against a licensee of the board under (7) Complaint.

### **§343.1. Definitions.**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Act--The Texas Physical Therapy Practice Act, Texas Civil Statutes, Article 4512e.
- (2) Agency--The Board of Physical Therapy Examiners.
- (3) APTRA--The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a.
- (4) Applicant--A qualified individual who presents application for licensure as a physical therapist or physical therapist assistant or for reinstatement of a previously suspended or revoked license.
- (5) Board--The members of the Board of Physical Therapy Examiners who are appointed pursuant to Texas Civil Statutes, Article 4512e.
- (6) Board order--A final decision of the board issued in a contested proceeding or in lieu of such proceeding, which may include findings of fact and conclusions of law, separately stated.
- (7) Complaint--A written statement of allegations filed with the board which includes a statement of the matters asserted, including any supporting documentation available, the filing of which may initiate a contested case proceeding.
- (8) Contested case--A proceeding in which the legal rights, duties, or privileges of a party are to be determined by the agency after an opportunity for adjudicative hearing.
- (9) Disciplinary action--Imposition of a sanction by the board which may include reprimand, suspension, probation, or revocation of a license, or other appropriate requirements.
- (10) Executive director--The executive director of the Board of Physical Therapy Examiners.
- (11) Licensee--A person who holds a license either permanent or temporary under the Physical Therapy Practice Act.
- (12) Moral turpitude--Baseness, vileness, or dishonesty of a high degree.
- (13) Notice--A statement of intended date, time, place, and nature of a hearing, and the legal authority and jurisdiction under which a hearing is to be held. Notice may include a formal complaint filed to initiate a contested case proceeding.

(14) Party--Each person with a sufficient legal, economic, or other interest to be named or admitted as such by the agency to a contested case proceeding before the agency.

(15) Probation--Each person whose license is suspended is placed on probation for the length of the suspension.

(16) Reinstatement--The individual with a revoked license must demonstrate or supply evidence to the board of his or her rehabilitation or current fitness to hold a license. Reinstatement petitions shall be considered no sooner than 180 days after the revocation order becomes final and enforceable.

(17) Reprimand--A public and formal censure against a license.

(18) Respondent--A person who has been made the subject of a formal or informal complaint alleging violation of the Texas Physical Therapy Practice Act or rules, regulations, or orders of the Board of Physical Therapy Examiners.

(19) Revocation--The withdrawal or repeal of a license. Revocation is established for minimum period of one year.

(20) Staff--The investigative staff of the Board of Physical Therapy Examiners.

(21) Suspension--The temporary withdrawal of a license. The board may suspend for one day or a designated number of years or until a specified event occurs.